

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. GARY MICHAEL BYRD, Defendant.	CR 23-74-BLG-SPW-01 ORDER
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Before the Court is the United States' Unopposed Motion for a Preliminary Order of Forfeiture (Doc 65). Defendant Gary Michael Byrd appeared before the Court on August 14, 2023, and entered a plea of guilty to the Superseding Information. Byrd's plea provides a factual basis and cause to issue an Order of Forfeiture, pursuant to 21 U.S.C. § 853.

Accordingly, IT IS ORDERED that the motion (Doc. 65) is **GRANTED**.

IT IS FURTHER ORDERED that Gary Michael Byrd's interest in the following property is forfeited to the United States in accordance with 21 U.S.C. § 853:

- \$5,680.00 in US Currency
- Ruger LCP, .38 caliber pistol (S/N: 376-06477)

IT IS FURTHER ORDERED that the United States Marshals Service, the Department of Homeland Security and the Federal Bureau of Investigation shall seize the property subject to forfeiture and further shall make a return as provided by law.

IT IS FURTHER ORDERED that the United States shall provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853(n)(1), and shall make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture and in any event this Order shall become final as to Mr. Byrd at sentencing and is incorporated into any

judgment issued in this case pursuant to Federal Rule of Criminal Procedure
32.2(b)(4)(A)-(B).

DATED this 29th day of August, 2023.

Susan P. Watters
SUSAN P. WATTERS
United States District Court Judge